

EXHIBIT C

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JEFFREY W. TAM,

Plaintiff,

v.

JOHN E. POTTER,

Defendant.

CASE NO.

07-2747 SI

DEPOSITION OF JEFFREY TAM
WEDNESDAY, DECEMBER 12, 2007

BEHMKE REPORTING & VIDEO SERVICES

BY: CARYE C. TORRES, CSR #10685, CRP

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1 that you believed you were discriminated against because
2 you weren't reassigned from being a bulk-mail assistant
3 to a driver --

4 A Mm-hmm.

5 Q -- is that right?

6 A Yes.

7 Q Can you explain what you meant by that.

8 A They have another driver. They bid up to be a
9 bulk-mail assistant, and then from bulk-mail assistant,
10 go back to driving, and they allow them, and they allow
11 them go back to full-time regular, but not allow me to
12 do so.

13 Q Okay.

14 A Even they allow me at the time in 2002. I tell
15 him finish the training, and he refused to let me go
16 back.

17 Q When was the first time you made a request?

18 A In 2002.

19 Q That was the -- so in 2002 that was the first
20 time you made a request to switch back from a bulk-mail
21 assistant to a driver?

22 A Yes, because the hours start back -- after --
23 after I relief from the supervisor 204-B, and then the
24 hours start hurting me again, that double back. When
25 I -- Monday I get off at 11:30 at night, I had to double

1 a couple hours. And that hour -- that kind of schedule
2 hurted me. And they are violation of the contract in
3 Article 8, which state that in the consecutive days,
4 they're supposed to be spread evenly.

5 And also they violate the contract on
6 Article 14, that management supposed to provide a safe
7 condition for employee, which is not safe condition for
8 me, that kind of schedule hour.

9 And they violate the contract on Article 1.6,
10 because they tried to eliminate two of the lead
11 position, and they use the supervisor doing the clerk's
12 work.

13 Q Let me just stop you for a second.

14 So when you were -- when you were still an
15 acting supervisor of transportation in 2002, was your
16 schedule the same?

17 A Yes, schedule the same. 7 o'clock in the
18 morning.

19 Q And after you were removed from acting -- from
20 the position as acting supervisor, you requested
21 reassignment to a driver?

22 A Not reassignment. Resume my bid. That mean go
23 back to my own bid.

24 Q So you asked to become a bulk-mail assistant
25 again?

1 STATE OF CALIFORNIA)

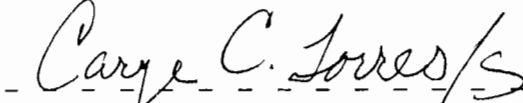
2)

3 COUNTY OF SAN MATEO)

4 I hereby certify that the witness in the
5 foregoing deposition of JEFFREY TAM, was by me duly sworn
6 to testify to the truth, the whole truth and nothing but
7 the truth, in the within-entitled cause; that said
8 deposition was taken at the time and place herein named;
9 that the deposition is a true record of the witness's
10 testimony as reported by me, a duly certified shorthand
11 reporter and a disinterested person, and was thereafter
12 transcribed into typewriting by computer.

13 I further certify that I am not interested in
14 the outcome of the said action, nor connected with, nor
15 related to any of the parties in said action, nor to
16 their respective counsel.

17 IN WITNESS WHEREOF, I have hereunto set my hand
18 this 26th day of December, 2007.

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21 CARYE C. TORRES, CSR #10685

22 STATE OF CALIFORNIA

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